



UNITED STATES SENATE  
**REPUBLICAN  
POLICY COMMITTEE**

Larry E. Craig, Chairman  
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## Quick Guide for Germaneness Post-Cloture

Under Senate Rule 22, when the Senate has voted to bring debate on a measure to a close, then that measure becomes the unfinished business of the Senate to the exclusion of all other business. Debate is limited thereafter, *but amendments are in order so long as they were filed in advance and are germane*. “Germane” is a term of art under the Senate rules, and it means something much narrower than “relevant” or “pertinent.”

- An amendment that expands the scope of a bill or introduces new subject matter is not germane. A. Frumin, *Riddick’s Senate Procedure* at 292.
  - ✓ An amendment regarding the minimum tax to a tax bill was held not germane because the bill did not contain a provision relating to the minimum tax. *Id.* at 294.
  - ✓ An amendment requiring a study of women in the Armed Forces was held not germane to a bill extending the Selective Service Act because there was nothing in the bill on the drafting of women. *Id.* at 293.
  - ✓ An amendment on the pricing of oil was held not germane to a bill deregulating the price of natural gas. *Id.* at 293-94.
- Amendments that limit or restrict provisions of a bill *are* germane. *Id.* at 292.
- An amendment to strike will be ruled germane. In 1982, the Chair gave its opinion that amendments that strike language from a bill “regardless of their effect upon the powers granted in the bill would be considered germane *per se*.” *Id.* at 291-92.

Germaneness “should be strictly construed,” and the “burden of making the case for germaneness rests on the proponents.” *Id.* at 291. The Chair may rule amendments out of order as not being germane without a point of order being made from the floor. *Id.*

*The Parliamentarian should be consulted if there is any question about the status of an amendment post-cloture.* With consultation, a definitive judgment can be made. After cloture is invoked, a Senator may not modify his amendment to make it germane, except by unanimous consent. *Id.* at 295.

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